



City of Santa Clara

Est. 1999

Subject: Outdoor Burning Ordinance

June 14, 2010

Purpose: Intended to promote the public health, safety, and welfare and to safeguard the health comfort living condition, safety and welfare of the citizens of the City of Santa Clara due to the air pollution and fire hazards of open burning, outdoor burning, and burning in dry/drought conditions.

This ordinance is an extension of the Outdoor Burning Rule, Title 30, Texas Administrative Code, Sections 111.201–221. It is not the intent to rewrite the existing Texas administrative codes, but to extend and clarify it as needed. This ordinance governs all burning within the City of Santa Clara and its ETJ and includes burn bans.

Dictation of temporary or seasonal burn bans based on environmental conditions is the responsibility of the State of Texas, Guadalupe County, and the City of Santa Clara.

When a burn ban is in effect, the Guadalupe County Sheriff's Department must be notified of date, time and location of an intended burn if such burn is considered an emergency requirement. Notification of this department is suggested when there is not a burn ban, but the intended burn is of sufficient magnitude and scope that prudent safety precautions need to be taken and to avoid false response.

The following are the most common conditions where persons may do outdoor burning (111.201):

1 – domestic waste burning at a private residence, when the local government does not provide for collection of domestic waste [examples of waste not considered domestic include tires, furniture, carpet, etc.] (111.209(1))

2 – on site burning of plant material [trees, brush, grass, leaves, etc.] when generated from that property (111.209(4)) and

a) burning shall be conducted only when wind direction does not cause smoke to adversely affect public roads and structures containing sensitive receptor(s) (111.219(3))

b) and burning is started no earlier than one hour after sunrise and completed the same day but not later than one hour before sunset, and shall be attended at all times while burning (111.219(6)(A))

c) and burning shall not be started when wind speed is less than 6 mph or greater than 23 mph (111.219(6)(B))

d) and electrical insulation, treated lumber, plastics, chemical waste, etc. shall not be burned (111.219(7))

Actual rules, details, and definitions can be found at TCEQ, Chapter 111 Control of Air Emissions, Subchapter B: Outdoor Burning.

This ordinance replaces all previous ordinance dealing with Burning Bans and Outdoor Burning